

## Message Text

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 CIAE-00 DODE-00 INRE-00

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FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC IMMEDIATE 7934

S E C R E T SECTION 1 OF 2 MOSCOW 18050

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E.O. 11652: XGDS-3

TAGS: PARM, US, UR

SUBJECT: TTBT/PNE NEGOTIATIONS: JOINT DRAFT TREATY TEXT, DEC. 17,  
ROUND V - TTBT/PNE DELEGATION MESSAGE NO. 57

1. FOLLOWING IS THE TEXT OF JOINT DRAFT TREATY DATED  
DECEMBER 17, 1975 WHICH WAS HANDED TO SOVIET REPRESENTATIVES  
BY DR. BUCHHEIM ON DECEMBER 18, 1975:

BEGIN TEXT.

JOINT DRAFT TREATY TEXT

DRAFT

TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF  
SOVIET SOCIALIST REPUBLICS ON UNDERGROUND NUCLEAR EXPLOSIONS  
FOR PEACEFUL PURPOSES

PREAMBLE

THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST  
REPUBLICS, HEREINAFTER REFERRED TO AS THE PARTIES,

DESIRING TO IMPLEMENT ARTICLE III OF THE TREATY BETWEEN THE  
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UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST

REPUBLICS ON THE LIMITATION OF UNDERGROUND NUCLEAR WEAPON TESTS,  
WHICH CALLS FOR THE EARLIEST POSSIBLE CONCLUSION OF AN AGREEMENT  
ON UNDERGROUND NUCLEAR EXPLOSIONS FOR PEACEFUL  
PURPOSES,

REAFFIRMING THEIR ADHERENCE TO THE OBJECTIVES AND PRINCIPLES  
OF THE TREATY BANNING NUCLEAR WEAPON TESTS IN THE ATMOSPHERE,  
IN OUTER SPACE AND UNDER WATER, THE TREATY ON THE NON-PROLIFERATION  
OF NUCLEAR WEAPONS, AND THE TREATY ON THE LIMITATION OF UNDERGROUND  
NUCLEAR WEAPON TESTS, AND THEIR DETERMINATION STRICTLY TO OBSERVE  
THE PROVISIONS OF THESE INTERNATIONAL AGREEMENTS,

DESIRING TO ASSURE THAT UNDERGROUND NUCLEAR EXPLOSIONS  
FOR PEACEFUL PURPOSES SHALL NOT BE USED FOR PURPOSES RELATED TO  
NUCLEAR WEAPONS,

DESIRING THAT UTILIZATION OF NUCLEAR ENERGY BE DIRECTED ONLY  
TOWARD PEACEFUL PURPOSES,

DESIRING TO DEVELOP APPROPRIATELY COOPERATION IN THE FIELD OF  
UNDERGROUND NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES,

HAVE AGREED AS FOLLOWS:

#### ARTICLE I

1. THE PARTIES ENTER INTO THIS TREATY TO SATISFY THE  
OBLIGATIONS IN ARTICLE III OF THE TREATY ON THE LIMITATION OF  
UNDERGROUND NUCLEAR WEAPON TESTS, AND ASSUME ADDITIONAL  
OBLIGATIONS IN ACCORDANCE WITH THE PROVISIONS OF THIS TREATY.

2. THIS TREATY SHALL GOVERN ALL UNDERGROUND NUCLEAR  
EXPLOSIONS FOR PEACEFUL PURPOSES CONDUCTED BY THE PARTIES AFTER  
MARCH 31, 1976.

#### ARTICLE II

FOR THE PURPOSES OF THIS TREATY:

(A) "EXPLOSION" MEANS ANY INDIVIDUAL OR GROUP UNDERGROUND  
NUCLEAR EXPLOSION FOR PEACEFUL PURPOSES;

(B) "EXPLOSIVE" MEANS ANY DEVICE, MECHANISM OR SYSTEM  
FOR PRODUCING AN INDIVIDUAL EXPLOSION;

(C) "GROUP EXPLOSION" MEANS TWO OR MORE INDIVIDUAL  
EXPLOSIONS FOR WHICH THE TIME INTERVAL BETWEEN SUCCESSIVE  
INDIVIDUAL EXPLOSIONS SHALL NOT EXCEED 5 SECONDS AND FOR  
WHICH THE EMPLACEMENT POINTS OF ALL EXPLOSIVES CAN BE  
INTERCONNECTED BY STRAIGHT LINE SEGMENTS, EACH OF WHICH JOINS  
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TWO EMPLACEMENT POINTS AND EACH OF WHICH DOES NOT  
EXCEED 40 KILOMETERS.

#### ARTICLE III

1. EACH PARTY, SUBJECT TO THE OBLIGATIONS ASSUMED UNDER  
THIS TREATY AND OTHER INTERNATIONAL AGREEMENTS,  
RESERVES THE RIGHT TO:

(A) CARRY OUT EXPLOSIONS AT ANY PLACE UNDER ITS JURISDICTION OR CONTROL OUTSIDE THE GEOGRAPHICAL BOUNDARIES OF TEST SITES SPECIFIED UNDER THE PROVISIONS OF THE TREATY ON THE LIMITATION OF UNDERGROUND NUCLEAR WEAPON TESTS; AND

(B) CARRY OUT, PARTICIPATE OR ASSIST IN CARRYING OUT EXPLOSIONS IN THE TERRITORY OF ANOTHER STATE AT THE REQUEST OF SUCH OTHER STATE.

2. EACH PARTY UNDERTAKES TO PROHIBIT, TO PREVENT AND NOT TO CARRY OUT AT ANY PLACE UNDER ITS JURISDICTION OR CONTROL, AND FURTHER UNDERTAKES NOT TO CARRY OUT, PARTICIPATE OR ASSIST IN CARRYING OUT ANYWHERE:

(X)(A) ANY INDIVIDUAL EXPLOSION HAVING A YIELD EXCEEDING 150 KILOTONS; (XX)

(Y)(A) MORE THAN 3 INDIVIDUAL EXPLOSIONS HAVING A YIELD EXCEEDING 150 KILOTONS; (YY)

(B) ANY GROUP EXPLOSION:

(1) HAVING AN AGGREGATE YIELD EXCEEDING 150 KILOTONS EXCEPT IN WAYS THAT WILL PERMIT IDENTIFICATION OF EACH INDIVIDUAL EXPLOSION AND (X) MEASUREMENT OF THE YIELD OF EACH INDIVIDUAL EXPLOSION IN THE GROUP (XX)(Y) CONFIRM THAT ITS YIELD DOES NOT EXCEED 150 KILOTONS (YY) IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE IV OF AND THE PROTOCOL TO THIS TREATY;

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(2) HAVING AN AGGREGATE YIELD EXCEEDING (X) 1,000

KILOTONS (XX) (Y) 2 MEGATONS; (YY)

(C) ANY EXPLOSION WHICH DOES NOT CARRY OUT A PEACEFUL APPLICATION;

(D) ANY EXPLOSION EXCEPT IN COMPLIANCE WITH THE PROVISIONS OF THE TREATY BANNING NUCLEAR WEAPON TESTS IN THE ATMOSPHERE, IN OUTER SPACE AND UNDER WATER, THE TREATY ON NON-PROLIFERATION OF NUCLEAR WEAPONS, AND OTHER INTERNATIONAL AGREEMENTS ENTERED INTO BY THAT PARTY.

#### ARTICLE IV

1. FOR THE PURPOSE OF PROVIDING ASSURANCE OF COMPLIANCE WITH THE PROVISIONS OF THIS TREATY, EACH PARTY SHALL:

(A) USE NATIONAL TECHNICAL MEANS OF VERIFICATION AT ITS DISPOSAL IN A MANNER CONSISTENT WITH GENERALLY RECOGNIZED PRINCIPLES OF INTERNATIONAL LAW; AND

(B) PROVIDE TO THE OTHER PARTY INFORMATION AND ACCESS TO SITES OF EXPLOSIONS AND FURNISH ASSISTANCE IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN THE PROTOCOL TO THIS TREATY.

2. EACH PARTY UNDERTAKES NOT TO INTERFERE WITH THE NATIONAL TECHNICAL MEANS OF VERIFICATION OF THE OTHER PARTY OPERATING IN ACCORDANCE WITH PARAGRAPH 1(A) OF THIS ARTICLE, OR WITH THE IMPLEMENTATION OF THE PROVISIONS OF PARA 1(B) OF THIS ARTICLE.

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#### ARTICLE V

1. TO PROMOTE THE OBJECTIVES AND IMPLEMENTATION OF THE PROVISIONS OF THIS TREATY, THE PARTIES SHALL ESTABLISH PROMPTLY A JOINT CONSULTATIVE COMMISSION WITHIN THE FRAMEWORK OF WHICH THEY WILL:

(A) CONSULT WITH EACH OTHER, MAKE INQUIRIES AND FURNISH INFORMATION IN RESPONSE TO SUCH INQUIRIES, TO ASSURE CONFIDENCE IN COMPLIANCE WITH THE OBLIGATIONS ASSUMED;

(B) CONSIDER QUESTIONS CONCERNING COMPLIANCE WITH THE OBLIGATIONS ASSUMED AND RELATED SITUATIONS WHICH MAY BE CONSIDERED AMBIGUOUS;

(C) CONSIDER QUESTIONS INVOLVING UNINTENDED INTERFERENCE WITH THE MEANS FOR ASSURING COMPLIANCE WITH THE PROVISIONS OF THIS TREATY;

(X)(D) CONSIDER CHANGES IN TECHNOLOGY OR OTHER NEW CIRCUMSTANCES WHICH HAVE A BEARING ON THE PROVISIONS OF THIS TREATY; AND (XX)

(Y)(D)(YY)(X)(E)(XX) CONSIDER POSSIBLE AMENDMENTS TO PROVISIONS GOVERNING UNDERGROUND NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES.

2. THE PARTIES THROUGH CONSULTATION SHALL ESTABLISH,

AND MAY AMEND AS APPROPRIATE, REGULATIONS FOR THE JOINT CONSULTATIVE COMMISSION GOVERNING PROCEDURES, COMPOSITION AND OTHER RELEVANT MATTERS.

ARTICLE VI

1. THE PARTIES WILL DEVELOP COOPERATION ON THE BASIS OF MUTUAL BENEFIT, EQUALITY, AND RECIPROCITY IN VARIOUS AREAS RELATED TO CARRYING OUT UNDERGROUND NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES.

2. THE JOINT CONSULTATIVE COMMISSION WILL FACILITATE THIS COOPERATION BY CONSIDERING SPECIFIC AREAS AND FORMS OF COOPERATION WHICH SHALL BE DETERMINED BY AGREEMENT BETWEEN THE PARTIES IN ACCORDANCE WITH THEIR CONSTITUTIONAL PROCEDURES.

3. THE PARTIES WILL APPROPRIATELY INFORM THE INTERNATIONAL ATOMIC ENERGY AGENCY OF RESULTS OF THEIR COOPERATION  
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IN THE FIELD OF UNDERGROUND NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES.

ARTICLE VII

1. EACH PARTY SHALL CONTINUE TO PROMOTE THE ESTABLISHMENT OF THE INTERNATIONAL AGREEMENT OR AGREEMENTS AND PROCEDURES PROVIDED FOR IN ARTICLE V OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS, AND SHALL PROVIDE APPROPRIATE ASSISTANCE TO THE INTERNATIONAL ATOMIC ENERGY AGENCY IN THIS REGARD.

2. EACH PARTY UNDERTAKES NOT TO CARRY OUT, PARTICIPATE OR ASSIST IN THE CARRYING OUT OF ANY EXPLOSION IN THE TERRITORY OF ANOTHER STATE UNLESS THAT STATE AGREES TO THE IMPLEMENTATION IN ITS TERRITORY OF THE INTERNATIONAL OBSERVATION AND PROCEDURES CONTEMPLATED BY ARTICLE V OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS AND THE PROVISIONS OF ARTICLE IV OF THE PROTOCOL TO THIS TREATY, INCLUDING THE PROVISION BY THAT STATE OF THE ASSISTANCE NECESSARY FOR SUCH IMPLEMENTATION.

ARTICLE VIII

1. THIS TREATY SHALL REMAIN IN FORCE FOR A PERIOD OF (X) FIVE (XX)(Y) FIFTEEN (YY) YEARS, AND IT SHALL BE EXTENDED FOR SUCCESSIVE FIVE-YEAR PERIODS UNLESS EITHER PARTY NOTIFIES THE OTHER OF ITS TERMINATION NO LATER THAN SIX MONTHS PRIOR TO ITS EXPIRATION. BEFORE THE EXPIRATION OF THIS PERIOD THE PARTIES MAY, AS NECESSARY, HOLD CONSULTATIONS TO CONSIDER THE

SITUATION RELEVANT TO THE SUBSTANCE OF THIS TREATY. HOWEVER, UNDER NO CIRCUMSTANCES SHALL EITHER PARTY BE ENTITLED TO TERMINATE THIS TREATY WHILE THE TREATY ON THE LIMITATION OF UNDERGROUND NUCLEAR WEAPON TESTS REMAINS IN FORCE.

2. TERMINATION OF THE TREATY ON THE LIMITATION OF UNDERGROUND NUCLEAR WEAPON TESTS SHALL ENTITLE EITHER PARTY TO WITHDRAW FROM THIS TREATY AT ANY TIME.

3. SIMULTANEOUSLY WITH THE CONSIDERATION OF ANY PROPOSED AMENDMENTS TO RO REPLACEMENT OF THE TREATY ON THE LIMITATION  
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OF UNDERGROUND NUCLEAR WEAPON TESTS, THE PARTIES SHALL CONDUCT JOINTLY A REVIEW OF THIS TREATY.

4. EACH PARTY MAY PROPOSE AMENDMENTS TO THIS TREATY. AMENDMENTS SHALL ENTER INTO FORCE ON THE DAY OF THE EXCHANGE OF INSTRUMENTS OF RATIFICATION OF SUCH AMENDMENTS.

#### ARTICLE IX

1. THIS TREATY INCLUDING THE PROTOCOL WHICH FORMS AN INTEGRAL PART HEREOF, SHALL BE SUBJECT TO RATIFICATION IN ACCORDANCE WITH THE CONSTITUTIONAL PROCEDURES OF EACH PARTY. THIS TREATY SHALL ENTER INTO FORCE ON THE DAY OF THE EXCHANGE OF INSTRUMENTS OF RATIFICATION WHICH EXCHANGE SHALL TAKE PLACE SIMULTANEOUSLY WITH THE EXCHANGE OF INSTRUMENTS OF RATIFICATION OF THE TREATY ON THE LIMITATION OF UNDERGROUND NUCLEAR WEAPON TESTS.

2. THIS TREATY SHALL BE REGISTERED PURSUANT TO ARTICLE 102 OF THE CHARTER OF THE UNITED NATIONS.

DONE AT , IN TWO COPIES, EACH IN THE ENGLISH AND RUSSIAN LANGUAGES, BOTH TEXTS BEING EQUALLY AUTHENTIC. STOESEL

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## Message Attributes

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